

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BORROUGHS CORPORATION et al,

Plaintiffs,

v.

Case No: 11-12565
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

_____ /

FLEXFAB HORIZONS INTERNATIONAL,
INC. et al,

Plaintiffs,

v.

Case No: 11-14213
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

_____ /

AMERICAN SEATING COMPANY et al,

Plaintiffs,

v.

Case No: 11-14326
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

_____ /

GREAT LAKES CASTINGS LLC et al,

Plaintiffs,

v.

Case No: 11-14328
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

STAR OF THE WEST MILLING COMPANY
et al,

Plaintiffs,

v.

Case No: 11-14332
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

MAGNA INTERNATIONAL OF AMERICA, INC.
et al,

Plaintiffs,

v.

Case No: 11-14828
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

EAGLE ALLOY, INC. et al,

Plaintiffs,

v.

Case No: 11-15062
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

WHITEHALL PRODUCTS, LLC, et al

Plaintiffs,

v.

Case No: 11-15136
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

_____ /

MORBARK, INC. et al,

Plaintiffs,

v.

Case No: 12-12843
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

_____ /

ADRIAN STEEL COMPANY et al,

Plaintiffs,

v.

Case No: 12-15614
Honorable Victoria A. Roberts

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

_____ /

**ORDER GRANTING MOTION STAYING CASES
AND ADMINISTRATIVELY CLOSING CASES**

This Court issued Corrected Findings of Fact and Conclusions of Law on May 23, 2013, in *Hi-Lex Controls, Inc. v. Blue Cross Blue Shield of Michigan* (“*Hi-Lex*”), Case No: 11-12557. The above-captioned cases involve issues and claims against Defendant which are substantially similar to those in *Hi-Lex*. In light of the *Hi-Lex* Order, Defendant Blue Cross Blue Shield of Michigan filed motions in these cases, seeking stays pending an appeal in *Hi-Lex*. (Borroughs #242; Flexfab #32; American Seating

#28; Great Lakes #24; Star #23; Magna #24; Eagle Alloy #26; Whitehall #25; Morbark #23; Adrian Steel #26). Plaintiffs responded.

On May 31, 2013, the Court conditionally granted Defendant's motion in *Borroughs Corporation v. Blue Cross Blue Shield of Michigan*, Case No. 12-565, requiring counsel to meet, confer, and attempt to agree on triable issues, assuming the *Hi-Lex* Findings and Conclusions are affirmed by the Sixth Circuit. On July 1, 2013, the parties filed a notice with their positions on a stay and triable issues. There is no agreement.

The Court exercises its discretion to promote judicial economy, *see Landis v. North American. Co.*, 299 U.S. 248, 254 (1936), and **GRANTS** Defendant's motions, recognizing that the issues on appeal in *Hi-Lex* will substantially affect the outcome of these cases. Those issues summarily include the statute of limitations analysis and the potential misleading nature of the contractual documents between the parties, which are almost identical to those in *Hi-Lex*.

The Court will administratively close these cases. Any party can file a motion to reopen at the appropriate time.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts
United States District Judge

Dated: July 10, 2013

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on July 10, 2013.

S/Linda Vertriest

Deputy Clerk